

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2024 Grand Jury

UNITED STATES OF AMERICA,

CR No. 2:24-CR-00756-MCS

Plaintiff,

I N D I C T M E N T

v.

GABRIEL HAY,
aka "Mr. Handz,"
aka "Diamondhandz,"
aka "Centurion,"
aka "Vaultkeeper," and
GAVIN MAYO,
aka "Gavinn,"

[18 U.S.C. § 1349: Conspiracy to
Commit Wire Fraud; 18 U.S.C.
§ 1343: Wire Fraud; 18 U.S.C.
§ 2261A(2)(B): Stalking;
18 U.S.C. § 982: Criminal
Forfeiture]

Defendants.

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS AND DEFINITIONS

At all times relevant to this Indictment:

A. DEFENDANTS AND RELEVANT INDIVIDUALS

1. Defendant GABRIEL HAY ("HAY"), also known as ("aka") "Mr. Handz," aka "Diamondhandz," aka "Centurion," aka "Vaultkeeper," resided in Los Angeles County, California.

1 2. Defendant GAVIN MAYO ("MAYO"), aka "Gavinm," resided in
2 Pennsylvania, Florida, and Los Angeles County, California.

3 3. Co-Conspirator 1 ("CC-1") resided in Virginia and Los
4 Angeles County, California.

5 4. Project Manager 1 resided in Orange County, California.

6 B. DEFINITIONS

7 5. Cryptocurrency, a type of virtual currency, is a
8 decentralized, peer-to-peer, network-based medium of value or
9 exchange that may be used as a substitute for fiat currency to buy
10 goods or services or exchanged for fiat currency or other
11 cryptocurrencies. Examples of cryptocurrency are Bitcoin, Ether,
12 Solana, Tether ("USDT"), Chainlink ("LINK"), and Litecoin.
13 Cryptocurrency can exist digitally on the Internet, in an electronic
14 storage device, or in cloud-based servers.

15 6. Cryptocurrencies operate on a "blockchain," which is a
16 distributed public ledger, run by the decentralized network, containing
17 an immutable and historical record of every transaction. Examples of
18 blockchains are the Bitcoin blockchain, Ethereum blockchain, and Solana
19 blockchain.

20 7. Cryptocurrency is stored in a virtual account called a
21 wallet. Wallets are software programs that interface with
22 blockchains and generate and/or store public and private keys used to
23 send and receive cryptocurrency. A public key or address is akin to
24 a bank account number, and a private key is akin to a PIN number or
25 password that allows a user the ability to access and transfer value
26 associated with the public address or key. To conduct transactions
27 on a blockchain, an individual must use the public address (or

1 "public key") and the private address (or "private key").

2 8. A non-fungible token ("NFT") is a cryptographic token that
3 exists on a blockchain and represents ownership of a specific item or
4 asset. Similar to a digital certificate of authenticity, NFTs are
5 used to verify the ownership or history of a specific item or asset.
6 NFTs are secured by the blockchain, which allows for transfer of
7 ownership and can be used to verify the provenance of an NFT. NFTs
8 can be created for a variety of assets, including art, collectibles,
9 and even real estate. NFTs are created through a process called
10 minting, which is commonly done by the artists, creator, or license-
11 holder, and involves publishing an NFT on a blockchain so that it can
12 be bought, sold, and traded.

13 9. A rug pull is a type of fraud scheme in which the creator
14 of an NFT or digital asset project fraudulently solicits funds from
15 purchasers in connection with the project and then abruptly abandons
16 the project and retains the funds.

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COUNT ONE

[18 U.S.C. § 1349]

[ALL DEFENDANTS]

The Grand Jury hereby realleges and incorporates by reference paragraphs 1 through 9 of the Introductory Allegations and Definitions of this Indictment as though fully set forth herein.

A. OBJECT OF THE CONSPIRACY

10. Beginning on a date unknown to the Grand Jury, but no later than in or around May 2021, and continuing through at least in or around May 2024, in Los Angeles County, within the Central District of California, and elsewhere, defendants HAY and MAYO, CC-1, and others known and unknown to the Grand Jury knowingly conspired and agreed with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.

B. MANNER AND MEANS OF THE CONSPIRACY

11. The object of the conspiracy was to be carried out, and was carried out, in substance, as follows:

a. Defendants HAY and MAYO, CC-1, and others would sponsor a number of NFT and other digital asset projects and undertake promotional activities in support of those projects.

b. During the launch and promotion of these projects, defendants HAY and MAYO, and CC-1, would make materially false and misleading statements, or cause others to make materially false and misleading statements, to potential purchasers concerning the NFTs or other digital assets being launched and the projects' potential to create value for purchasers of those assets.

1 c. Defendants HAY and MAYO, and CC-1, would publicize to
2 potential purchasers false and misleading project "roadmaps"
3 detailing plans for the NFTs and other digital asset projects after
4 their launch.

5 d. Defendants HAY and MAYO, and CC-1, would hire other
6 individuals to do a variety of tasks for the projects, including the
7 creation of digital assets to sell to victims, the registration of
8 email domains and social media accounts, and the moderation of chat
9 groups affiliated with the projects to prevent the dissemination of
10 information exposing the projects as rug pulls and the identity of
11 the defendants.

12 e. Once purchasers paid for the NFTs and other digital
13 assets, defendants HAY and MAYO, and CC-1, would abandon the projects
14 and split the funds raised between themselves and other co-
15 conspirators.

16 f. Defendants HAY and MAYO, and CC-1, would use a variety
17 of means to conceal their involvement in the fraudulent NFTs and
18 other digital asset projects including inventing aliases, falsely
19 identifying other individuals or causing other individuals to be
20 falsely identified as owners of the projects, falsely denying their
21 involvement or causing others to deny their involvement to potential
22 purchasers in chat groups associated with the projects, and harassing
23 individuals who publicly identified them as being involved in the
24 projects.

25 g. Combinations of defendants HAY and MAYO, and CC-1,
26 would use the above-described tactics for several NFTs and other
27 digital assets, including projects known as Vault of Gems, Faceless,

1 Sinful Souls, Clout Coin, Dirty Dogs, Uncovered, MoonPortal,
2 Squiggles, and Roost Coin.

3 h. As a result, combinations of defendants HAY and MAYO,
4 and CC-1, raised over \$22.4 million from purchasers.

5 i. Defendants HAY and MAYO, and CC-1, would use
6 interstate and foreign wire communications in furtherance of the
7 above-described scheme.

8 C. OVERT ACTS

9 12. On or about the following dates, in furtherance of the
10 conspiracy and to accomplish its object, defendants HAY and MAYO, CC-
11 1, and co-conspirators known and unknown, committed and knowingly
12 caused others to commit various overt acts, within the Central
13 District of California and elsewhere, including, but not limited to,
14 the following:

15 **Vault of Gems NFT Rug Pull**

16 Overt Act No. 1: On August 31, 2021, defendant HAY registered
17 the Vault of Gems Twitter account.

18 Overt Act No. 2: On September 4, 2021, defendant HAY
19 registered the Vault of Gems website. The website falsely claimed
20 that Vault of Gems was to be the "first NFT project to be pegged to a
21 hard asset." The website further falsely claimed that the project's
22 "goal is to deploy a private Vault of Gems marketplace where VOG
23 virtual assets can be exchanged in real time for hard assets. This
24 will be achieved by working firsthand in partnerships with jewelers
25 around the globe."

1 Overt Act No. 3: In and around August and September 2021,
 2 defendant HAY promoted the Vault of Gems NFTs by creating, or causing
 3 the creation of, Vault of Gems NFTs resembling the images below:



11 Overt Act No. 4: On September 17, 2021, defendant MAYO posted
 12 a video on TikTok falsely claiming that Vault of Gems NFTs were the
 13 "first NFT[s] pegged to a hard asset, like jewelry" and that the
 14 project had "already started making [its] own exchange" for jewelers
 15 to use.

16 Overt Act No. 5: On September 20, 2021, defendant MAYO used
 17 his cryptocurrency account to supply the initial funds to the Vault
 18 of Gems contract creator address.

19 Overt Act No. 6: On September 21, 2021, defendant HAY made
 20 the Vault of Gems NFTs available for minting on the Ethereum
 21 blockchain, thereafter raising more than \$1,080,000 worth of Ether
 22 from purchasers who sent funds to the Vault of Gems mint address.

23 Overt Act No. 7: On an unknown date no later than September
 24 22, 2021, defendant HAY caused the Vault of Gems smart contract to
 25 distribute funds from the mint address to defendant HAY and others.

26 Overt Act No. 8: On September 22, 2021, and continuing until
 27 October 26, 2021, defendant HAY received approximately 269 Ether to

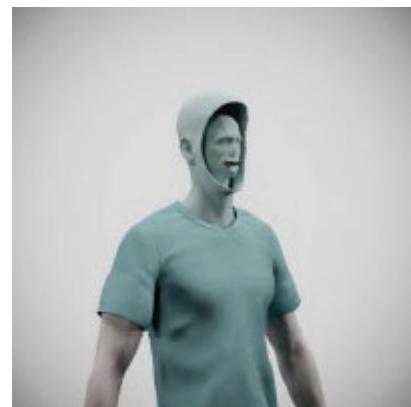
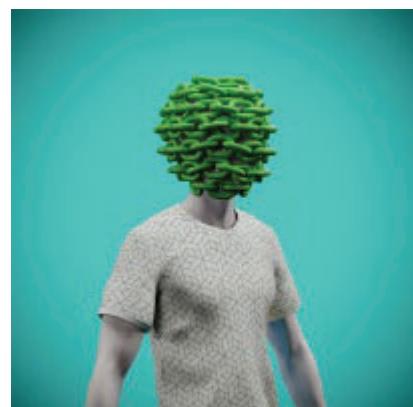
1 his cryptocurrency wallet from the Vault of Gems mint address.

2 Overt Act No. 9: On October 1, 2021, defendant HAY directed
3 the registration of the Vault of Gems TikTok account.

4 Overt Act No. 10: On an unknown date no later than November
5 20, 2021, defendants HAY and MAYO abandoned the Vault of Gems
6 project.

7 **Faceless NFT Rug Pull**

8 Overt Act No. 11: On an unknown date no later than October 20,
9 2021, defendant MAYO hired an artist to generate artwork for the
10 Faceless NFT project resembling the images below:



19 Overt Act No. 12: On an unknown date no later than October 19,
20 2021, defendant MAYO hired Project Manager 1 to assist with the
21 Faceless project.

22 Overt Act No. 13: On October 20, 2021, Project Manager 1 asked
23 defendant MAYO about biographies of Faceless project team members to
24 feature on the project's Discord, to which defendant MAYO responded,
25 "[m]ake em up" and then supplied Project Manager 1 with an example of
26 a made-up biography of an artist working on the project.

27 Overt Act No. 14: On October 22, 2021, defendant HAY

1 registered the Faceless website. The Faceless website included a
2 project “roadmap” advertising the steps the project would take to
3 achieve value for NFT purchasers. The website falsely claimed that:
4 phase one of the Faceless NFT project was to include the release of
5 the first edition of a “Faceless Chronicles” comic book; and phase
6 two was to include: (1) the release of the second edition of the
7 comic book, (2) the release of a Faceless movie, (3) the launch of a
8 Faceless clothing company, and (4) “33% of secondary revenue [going]
9 to [a] charity of [the] community’s choice.”

10 Overt Act No. 15: On November 19, 2021, defendants HAY and
11 MAYO made the Faceless NFTs available for minting on the Solana
12 blockchain, raising more than \$420,000 worth of Solana from
13 purchasers who sent funds to the Faceless mint address.

14 Overt Act No. 16: On November 27, 2021, defendant MAYO
15 received approximately 773 Solana (approximately \$153,000) from the
16 Faceless mint address to an account set up for defendant MAYO’s use.

17 Overt Act No. 17: On November 29, 2021, defendant HAY received
18 approximately 1,006 Solana (approximately \$203,000) from the Faceless
19 mint address to an account at a virtual currency exchange.

20 Overt Act No. 18: On November 29, 2021, defendant HAY
21 converted the approximately 1,006 Solana into approximately 201,222
22 USDT and then converted the USDT to approximately 8,028 LINK
23 (approximately \$200,860).

24 Overt Act No. 19: In November 2021, when individuals
25 participating in a public Discord chat group began to speculate as to
26 the owners of the Faceless NFT project, defendants MAYO and HAY
27 arranged for another individual to be identified as the owner to the

1 | chat group.

2 Overt Act No. 20: On an unknown date no later than November
3 20, 2021, defendants HAY and MAYO abandoned the Faceless project.

Additional Digital Assets

5 Overt Act No. 21: On May 21, 2021, defendant HAY drafted the
6 following promotional language for the MoonPortal project: "Welcome
7 to MoonPortal! 'Why fly to the moon, when you can teleport?' We are
8 the most rapidly growing 'Moon Coin' on the market"

9 Overt Act No. 22: On June 24, 2021, defendant HAY drafted the
10 following promotional language for the Clout Coin project: "From the
11 people who did \$YUMMY, \$ELON, and \$MILF... The next \$100M Mcap gem
12 hasn't even launched yet[.] The next big coin is launching TOMORROW
13 and is doing a public presale so everyone can eat. It is called
14 Clout Coin! \$CLOUD is creating the most user friendly NFT market
15 place which aims to bridge the gap between your favorite influencers
16 and the average joe."

17 Overt Act No. 23: In September and October 2021, defendant HAY
18 hired an artist to create artwork for the Uncovered NFT project.

19 Overt Act No. 24: In October 2021, defendant MAYO hired
20 Project Manager 1 to help set up the Discord server for the Sinful
21 Souls project.

22 Overt Act No. 25: On October 12, 2021, defendant HAY wrote to
23 CC-1 stating, “[l]et’s start on dirty dogs asap,” referring to the
24 Dirty Dogs NFT project.

25 Overt Act No. 26: On February 10, 2022, a virtual currency
26 exchange account controlled by defendant HAY funded the first
27 transaction of the Squiggles contract creator address.

1 Overt Act No. 27: In March 2024, defendant HAY recruited a team
2 of people including CC-1 to assist in the launch of ROOST coin.
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1 COUNTS TWO THROUGH FIVE

2 [18 U.S.C. §§ 1343, 2(a)]

3 [ALL DEFENDANTS]

4 The Grand Jury hereby realleges and incorporates by reference
5 paragraphs 1 through 9 of the Introductory Allegations and
6 Definitions of this Indictment as though fully set forth herein.

7 A. SCHEME TO DEFRAUD

8 13. Beginning on a date unknown to the Grand Jury, but no later
9 than in or around May 2021, and continuing through at least in or
10 around May 2024, in Los Angeles County, within the Central District
11 of California, and elsewhere, defendants HAY and MAYO, CC-1, and
12 others known and unknown to the Grand Jury knowingly and with the
13 intent to defraud, devised, intended to devise, participated in, and
14 executed a scheme to defraud victim-purchasers as to material
15 matters, and to obtain money and property by means of material false
16 and fraudulent pretenses, representations, and promises, and the
17 concealment of material facts.

18 14. The scheme operated, in substance, as set forth in
19 paragraphs 11 and 12 of Count One of this Indictment, which is
20 realleged and incorporated herein by reference as if set forth in
21 full.

22 B. USE OF THE WIRES

23 15. On or about the following dates, in Los Angeles County,
24 within the Central District of California, and elsewhere, for the
25 purpose of executing the above-described scheme to defraud,
26 defendants HAY and MAYO, each aiding and abetting each other,
27 knowingly transmitted and caused the transmission of, the following

1 items by means of wire and radio communication, writings, signals,
 2 pictures, and sounds in interstate and foreign commerce:

COUNT	DATE	INTERSTATE AND FOREIGN TRANSMISSION	WIRE	DEFENDANT CHARGED
TWO	09/22/2021	Electronic transfer caused by defendant HAY (in California) of approximately 5.08 Ether from the Vault of Gems mint address to wallet address 0xede0...9eca at a virtual currency exchange (outside of California) through an intermediary address.		HAY
THREE	10/31/2021	Electronic communication from defendant MAYO (in California) to Project Manager 1 (in California) using Discord servers (outside of California) telling Project Manager 1 to "just make shit up" in connection with the Faceless project.		MAYO
FOUR	11/10/2021	Electronic communication from defendant MAYO (in California) to a family member (in Pennsylvania) telling the family member, "I need an untraced phone to put crypto on."		MAYO
FIVE	11/29/2021	Electronic transfer caused by defendant HAY (in California) of approximately 1,005 Solana from the Faceless project mint address to wallet address 0x4636...8b04 controlled by defendant HAY at a virtual currency exchange (outside of California).		HAY

COUNT SIX

[18 U.S.C. §§ 2261A(2)(B), 2(a)]

[ALL DEFENDANTS]

The Grand Jury hereby realleges and incorporates by reference paragraphs 1 through 9 of the Introductory Allegations and Definitions of this Indictment as though fully set forth herein.

16. Beginning on or about November 22, 2021, and continuing to at least on or about September 10, 2023, in Los Angeles County, within the Central District of California, and elsewhere, defendants HAY and MAYO, with the intent to harass and intimidate Project Manager 1, aiding and abetting each other, used an interactive computer service, an electronic communication service, an electronic communication system of interstate commerce, and other facilities of interstate and foreign commerce, namely cellular telephone networks, email, interstate wires, and the Internet, to engage in a course of conduct, including conduct described in Paragraph 17 below, that caused, attempted to cause, and would reasonably be expected to cause substantial emotional distress to Project Manager 1 and his parents.

17. Defendants HAY and MAYO's course of conduct included, among other things, the following:

a. On November 22, 2021, after Project Manager 1 revealed defendants HAY and MAYO as the owners of the Faceless NFT project, defendant HAY, with the assistance of defendant MAYO, sent, or caused the sending of, an email to Project Manager 1's parents falsely purporting to be from a law firm and threatening legal action. The message said in part, "[Project Manager 1] made some poor choices involving leaking sensitive information online" and included the home

1 address and ages of Project Manager 1's parents.

2 b. On November 22, 2021, defendants HAY and MAYO sent, or
3 caused the sending of, a threatening text message to Project
4 Manager 1 falsely purporting to be from an investor in the Faceless
5 NFT Project. The message said, in part, that Project Manager 1 had
6 "cause[d] serious damage to [himself] and [his] future" and
7 instructed that he "message [the number] back when [he had] deleted
8 and cleared the name of ALL those involved." The message said that
9 Project Manager 1 had "1 hour" to remove the information. The
10 message included the names and contact information for Project
11 Manager 1's parents.

12 c. On November 28, 2021, defendants HAY and MAYO sent, or
13 caused the sending of, an email purporting to be from a law firm to
14 Project Manager 1's parents stating, in part: "[Project Manager 1]
15 has tried multiple times to leak the personal information of a few
16 individuals that are now going to make [his] family suffer unless he
17 and his friend . . . stop their shenanigans in the next hour.
18 Otherwise, strap in it's going to get real hectic." The email
19 proceeded to make a number of threats including threats to falsely
20 accuse Project Manager 1's parents of lewd sexual behavior. The
21 email ended with the following message: "This is only the beginning
22 if he doesn't [stop]."

23 d. On September 10, 2023, defendant MAYO sent, or caused
24 the sending of, a direct message on Instagram to Project Manager 1
25 stating, in part: "Don't think we forgot about you . . . Get ready to
26 get destroyed . . . This account will be gone. Next is TikTok. Next
27 is discord. After that you'll see what else."

FORFEITURE ALLEGATION

[18 U.S.C. § 982]

18. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 982(a)(2), in the event of any defendant's conviction of the offenses set forth in any of Counts One through Five of this Indictment.

19. Any defendant so convicted shall forfeit to the United States of America the following:

(a) All right, title and interest in any and all property, real or personal, constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of the offense; and

(b) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

20. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 982(b), any defendant so convicted shall forfeit substitute property, up to the total value of the property described in the preceding paragraph if, as the result of any act or omission of said defendant, the property described in the preceding paragraph, or any portion thereof: (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to or deposited with a third party; (c) has been placed beyond the jurisdiction of the court; (d) has been

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1 substantially diminished in value; or (e) has been commingled with
2 other property that cannot be divided without difficulty.

3 A TRUE BILL

4 /S/

5 _____
6 Foreperson

7 E. MARTIN ESTRADA
8 United States Attorney

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10 DAVID T. RYAN
11 Assistant United States Attorney
12 Chief, National Security Division

13 KHALDOUN SHOBAKI
14 Assistant United States Attorney
15 Chief, Cyber & Intellectual Property Crimes Section

16 MAXWELL COLL
17 Assistant United States Attorney
18 Cyber & Intellectual Property Crimes Section

19 GLENN S. LEON
20 Chief, Fraud Section
21 U.S. Department of Justice

22 JOHN LYNCH
23 Chief, Computer Crime & Intellectual Property Section
U.S. Department of Justice

24 TIAN HUANG
25 Trial Attorney, Fraud Section, Market Integrity & Major Frauds
26 National Cryptocurrency Enforcement Team

27 TAMARA LIVSHIZ
28 Trial Attorney, Fraud Section, Market Integrity & Major Frauds Unit
National Cryptocurrency Enforcement Team